

04/30/01  
10964 U.S. PRO

# UTILITY PATENT APPLICATION TRANSMITTAL

Only for new, non-provisional applications under 37 CFR 1.53(b).

Attorney Docket No. TCS-414 2P US-1  
First Inventor Thomas  
Title  
Express Mail Label No. EL164335092US

09/845511  
04/30/01

APPLICATION ELEMENTS ADDRESS TO: Assistant Commissioner for Patents  
Ex: Patent Application  
Washington, DC 20231

See MPEP chapter 600 concerning utility patent application contents

- 1 ☒ File Transmittal Form (e.g. PTO SB 17)
- 2 ☒ Applicant claims small entity status  
See 37 CFR 1.27
- 3 ☒ Specification [Total Pages 51]  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed-sponsored R & D  
- Reference to sequence listing (a table  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings, if filed  
- Detailed Description  
- Claims  
- Abstract of the Disclosure
- 4 ☒ Drawings (35 U.S.C. 113) [Total Sheets 10]
- 5 ☒ Oath or Declaration [Total Pages 2]  
a ☐ Newly executed original or copy  
b ☒ Copy from a prior application (37 CFR 1.63 (d))  
for continuation divisional with Box 18 completed  
☐ DELETION OF INVENTOR(S)  
c ☐ Application Data Sheet (See 37 CFR 1.76)

- 7 ☐ CD-ROM or CD-R (duplicate large table or Computer Program Appendix)
- 8 Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a ☒ Computer Readable Form (CRF)  
b Specification Sequence Listing on  
i ☐ CD-ROM or CD-R (2 copies) or  
ii ☒ paper  
c ☒ Statements verifying identity of above copies

- ## ACCOMPANYING APPLICATION PARTS
- 9 ☒ Assignment, Power of Attorney & documents  
37 CFR 3.71 (Statement Power of Attorney)
  - 10 ☐ English Translation Document (if applicable)
  - 11 ☐ Information Disclosure Statement (IDS) (PTO-1449) ☐ Copies of IDS Citations
  - 12 ☒ Preliminary Amendment
  - 13 ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
  - 14 ☐ Certified Copy of Priority Document (if foreign priority is claimed)
  - 15 ☐ Nonpublication Request under 35 U.S.C. 122  
or 201B (Applicant must attach form PTO SB 35  
or its equivalent)
  - 16 ☐ Other

18 If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment or an Application Data Sheet under 37 CFR 1.76

☒ Continuation ☐ Continuation-in-part ☐ Divisional ☐ Other (Specify) (9) 171 969  
Applicant's Name: Dave Nguyen

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

☐ Correspondence to be sent to the Applicant ☒ Correspondence to be sent to the Attorney

Name: Leon R. Yankwich, Esq.  
Address: YANKWICH & ASSOCIATES  
130 Bishop Allen Drive  
City: Cambridge State: MA Zip Code: 02139  
Country: U.S.A. Telephone: (617) 451-4443 Fax: (617) 451-4811

Name (Print Type): Thomas R. Berka, Ph.D. Registration No.: Attorney Agent: 39,606  
Signature: Thomas R. Berka Date: April 30, 2001

# FEE TRANSMITTAL for FY 2001

TOTAL AMOUNT OF PAYMENT \$ 435.00

## Complete if Known

Application Number (not yet assigned)  
Filing Date (concurrently herewith)  
First Named Inventor Thomas  
Examiner Name (not yet assigned)  
Group Art Unit (not yet assigned)  
Attorney Docket No. TCS-414.2 P US-1

## METHOD OF PAYMENT

1. ☒ The payment is being made by check or money order payable to the order of the U.S. Patent and Trademark Office.
- Deposit Account Number 50-0268  
Payee Name Yankwich & Associates
- ☐ The payment is being made by credit card.
- ☒ The payment is being made by cash.

2. ☒ Payment Enclosed:  
☒ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101-101	201-101	Basic Filing Fee	355.00
102-102	202-102	Design Filing Fee	
103-103	203-103	Patent Filing Fee	
104-104	204-104	Reissue Filing Fee	
105-105	205-105	Continuation Filing Fee	

SUBTOTAL (1) \$ 355.00

### 2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
1-4	0	0.00
5-9	40	0.00
10-14	270	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
101-101	201-101	Basic Filing Fee
102-102	202-102	Design Filing Fee
103-103	203-103	Patent Filing Fee
104-104	204-104	Reissue Filing Fee
105-105	205-105	Continuation Filing Fee

SUBTOTAL (2) \$ 80.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
106-106	206-106	Supplemental Examination Fee	
107-107	207-107	Supplemental Examination Fee	
108-108	208-108	Supplemental Examination Fee	
109-109	209-109	Supplemental Examination Fee	
110-110	210-110	Supplemental Examination Fee	
111-111	211-111	Supplemental Examination Fee	
112-112	212-112	Supplemental Examination Fee	
113-113	213-113	Supplemental Examination Fee	
114-114	214-114	Supplemental Examination Fee	
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197-197	297-197	Supplemental Examination Fee	
198-198	298-198	Supplemental Examination Fee	
199-199	299-199	Supplemental Examination Fee	
200-200	300-200	Supplemental Examination Fee	

SUBTOTAL (3) \$ 00.00

## SUBMITTED BY

Thomas R. Berka, Ph.D. 39.606 (617) 491-4343  
Thomas R. Berka April 30, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thomas, Lawrence J.  
 Serial No.: (not yet assigned)  
 Filed: (concurrently herewith)  
 Entitled: PLASMID-BASED VACCINE FOR  
 TREATING ATHEROSCLEROSIS

ART UNIT:

EXAMINER:

Continuation of U.S. Appln. Ser. No. 09/171,969

Attorney Docket No.: TCS-414.2P US-1

**Box Patent Application**

Asst. Commissioner for Patents

Washington, D.C. 20231

**UTILITY PATENT APPLICATION TRANSMITTAL**

Continuation of U.S. Appln. Ser. No. 09/171,969

Prior Examiner: D. Nguyen

Prior Unit: 1633

1. Fee Transmittal form PTO SB 17 (in duplicate).
2. Utility Patent Application Transmittal form PTO SB 05.
3. Copy of prior application specification of 51 pages (including Abstract of the Disclosure).
4. Copies of Formal Drawings 10 pages.
5. Copy of oath declaration (pursuant 37 CFR §1.63(d)) and power of attorney filed in parent application.
6. Copy of Recorded Assignment.
7. Sequence Listing:  
 (a) computer readable form (CRF), (b) paper copy, and (c) statement under 37 CFR 1.821(f).
8. Preliminary Amendment.
9. Return receipt post card.
10. Check No. 3484 in the amount of \$ 435.00 to cover the application filing fee.

Respectfully submitted,

*Thomas R. Berka*

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Leon R. Yankwich; Registration No. 30,237

Attorneys for Applicant

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

The undersigned hereby certifies that this correspondence listed above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10, postage prepaid, Express Mailing Label No. **FI 164335092 US**, in an envelope addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, D.C. 20231, on the date and dated below.

*April 30, 2001*  
 date

*Stephane L. Leicht*  
 Stephane L. Leicht